

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

SEPTEMBER 16, 2003 – REGULAR MEETING – 6:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Rick Osbon
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Given at the opening of the Special Meeting.

(C) PLEDGE OF ALLEGIANCE

Given at the opening of the Special Meeting.

(D) APPROVAL OF MINUTES

1. August 19, 2003 Worksession
2. August 19, 2003 Regular Meeting
3. September 9, 2003 Special Meeting

- a. Councilman Smith made a motion to approve the minutes. Councilman Butler seconded.
- b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilwoman Rawls made a motion to amend and approve the agenda as follows:
 1. Delete Consent Item 16.
 2. Delete New Business Item 1.
 3. Move Consent Item 19 to New Business Item 1.

4. Add Consent Item 27a – Proposed Resolution to Commend Mr. Jon Hilton Ecklund for Achieving the Rank of Eagle Scout.
 5. Add Old Business Item 6 – Reconsideration of Resolution 03-08-163, Resolution to Authorize the Purchase of Vehicles for the Sheriff's Office from Vic Bailey Ford.
- b. Councilwoman McKenzie seconded the motion. The amended agenda was approved by unanimous vote.

(F) AWARDS AND RECOGNITIONS

1. Presentation to County Council from Augusta VA Medical Center.
(Mr. James F. Trusley, III, Medical Center Director)
 - a. Mr. Trusley thanked Council for the donation of funds for the Disabled American Veteran's van and recognized the three volunteer drivers of the van.

A plaque expressing appreciation was given to each driver and to Council.

(G) PUBLIC HEARINGS

1. Proposed Ordinance to Establish a Policy for Providing Public Works Assistance to Municipalities in Aiken County.
 - a. No comments were made.
2. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Establish a Policy for the Application and Acceptance of Grants.
 - a. No comments were made.
3. Proposed Ordinance to Amend Section 2-198 of the Aiken County Code of Ordinances Describing the Duties of the Clerk of Council.
 - a. No comments were made.
4. Proposed Ordinance to Adopt the Ordinance Summons, Pursuant to S.C. Code Ann. Section 56-7-80 (1976) as Amended, and to Provide for its Use in Aiken County.
 - a. No comments were made.
5. Proposed Ordinance to Amend Section 16.2, Parks Rules and Regulations of the Aiken County Code of Ordinances to Clarify its Meaning and to Add a Provision for the Disposal of Pet Waste.
 - a. No comments were made.
6. Proposed Ordinance to Delete Section 14.1 Handicapped Parking of the Aiken County Code of Ordinances.
 - a. No comments were made.
7. Proposed Ordinance to Issue Capital City Ambulance Service a Franchise to Operate a Private Ambulance Service in Aiken County for a Three Year Period Ending December 1, 2006.
 - a. No comments were made.

8. Proposed Ordinance Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 01, an Escrow Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith.

- a. Councilman Butler clarified that the Ordinance was for the financing of vehicles.

(H) OLD BUSINESS

1. Proposed Ordinance to Amend the Aiken County Code of Ordinances Concerning the Public Hearing Requirements for Proposed Ordinances.
(Administrative Committee)

- a. Councilman Smith made a motion for approval. Councilwoman McKenzie seconded.

- b. Passed by unanimous vote.

2. Proposed Ordinance to Amend Section 2-719 of the Aiken County Code of Ordinances to Alter the Procedure for Disposition of Surplus Computer Equipment.
(Administrative Committee) (Third Reading)

- a. Councilman Hightower moved for the adoption. Councilman Butler seconded.

- b. Passed by unanimous vote.

3. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Combine and Improved the Procedures for Dealing with Nuisances and Unfit Dwellings.
(Judicial & Public Safety Committee) (Third Reading)

- a. Councilman Singer moved for the adoption. Councilwoman McKenzie seconded.

- b. Passed by unanimous vote.

4. Proposed Ordinance Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 01, an Escrow Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith.
(County Council) (Third Reading)

- a. Councilwoman Rawls made a motion for approval. Councilman Butler seconded.

- b. Passed by unanimous vote.

5. Remove from the Table of a Proposed Resolution to Authorize the Release of Funding Approved in the Aiken County FY 2004 General Fund Operating Budget for Aiken Technical College.
(Administrative Committee)

- a. Councilman Osbon made a motion to remove the Resolution from the Table. Councilman Singer seconded.

- b. The motion to remove the Resolution from the Table passed by majority vote with Councilman Barton voting in opposition.

- c. Councilman Butler made a motion to Table the Resolution again. Councilwoman McKenzie seconded.

- d. The motion to Table the Resolution passed by majority vote with Councilman Singer, Councilman Osbon and Chairman Young voting in opposition.
6. Reconsideration of Resolution 03-08-163, Resolution to Authorize the Purchase of Vehicles for the Sheriff's Office from Vic Bailey Ford.
(ADDITION)
 - a. Councilwoman Rawls made a motion to reconsider the Resolution. Councilwoman McKenzie seconded.
 - b. The motion to reconsider passed by unanimous vote.
 - c. Councilman Osbon made a motion to amend the Resolution to authorize the purchase of 22 vehicles rather than 30 vehicles. Councilman Smith seconded.
 - d. The amendment motion passed by unanimous vote.
 - e. Councilman Butler made a motion to approve the amended Resolution. Councilwoman McKenzie seconded.
 - f. The amended Resolution passed by unanimous vote.

(I) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, and 6.
(Rawls, Singer, McKenzie, Smith, Butler, Barton)
2. Proposed Resolution to Make Two Appointments to the Lower Savannah Council of Governments Board of Directors.
(County Council)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2004 Council Contingency Fund.
(County Council)
4. Proposed Resolution to Approve a Memorandum of Understanding Between Aiken County and the South Carolina Association of Counties for the Continuation of Services Being Provided by the Association of Aid in the Collection of Debts Through the Setoff Debt Collection Act of 1999.
(Administrative Committee)
5. Proposed Resolution to Approve a Memorandum of Understanding Between Aiken County and the South Carolina Association of Counties for Services Offered by the Association of Aid in the Collection of Debts Through the GEAR Collections Program 2004.
(Administrative Committee)

6. Proposed Resolution to Assign the Official Name of Taylor Plantation Lane to an Existing Unnamed Private Road in County Council District 3 and the Official Road Name of East Pine Log Road to an Existing Unnamed Portion of a State Road (S-302) that will Terminate on SC 4/302 Wagener Road in County Council District 8.
(McKenzie, Hightower)
7. Proposed Resolution to Accept a Deed and Certificate of Title for Cedar Knoll (C-2541), Boykin Drive (C-2540), Elgin Court (C-2539), and a Detention Pond in Cedar Knoll Subdivision, Phase I Located in Council District 2.
(Singer)
8. Proposed Resolution to Accept a Deed and Certificate of Title for Wildhaven Drive (C-2523), Sand Fox Place (C-2525), and Cape Fox Circle (C-2524) in Fox Run Subdivision, Phase I Located in Council District 7.
(Osbon)
9. Proposed Resolution to Accept Easements on Briar Patch Lane (C-257), and Satcher Pond Road (C-520) Needed for Capital Projects Sales Tax Paving Project.
(Development Committee)
10. Proposed Resolution to Authorize the Aiken County Public Service Authority to Implement the Cost Settlement Flows for FY 2003 and to Set Customer Billing Estimated Flows for FY 2004.
(Development Committee)
11. Proposed Resolution to Discontinue Maintenance of the Aiken State Boat Landing.
(Development Committee)
12. Proposed Resolution to Authorize the Installation of Traffic Signs in the Beaver Creek Subdivision.
(Development Committee)
13. Proposed Resolution to Authorize the County Administrator to Dispose of Surplus Property.
(Development Committee)
14. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with the Aiken Area Council on Aging for Operation of the Best Friend Express Fixed Route and the Dial-A-Ride Demand Response Service.
(Administrative Committee)
15. Proposed Resolution to Authorize Aiken County to Accept One Replacement Vehicle and at Least Two More Vehicles Through the South Carolina Department of Transportation Mass Transit Federal Funds.
(Administrative Committee)
16. Proposed Resolution to Amend Resolution 3-8-163 Which Authorized the Purchase of Vehicles for the Sheriff's Office from Vic Bailey Ford.
(Judicial and Public Safety Committee)

DELETED

17. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with AIG for a Special Pay Plan for Employees 55 and Over Who Leave County Government Employment and Who Will Receive \$2,000 or More in Special Pay.
(Administrative Committee)
18. Proposed Resolution to Commit to Naming a Proposed Wagener Human Services Building the Listine Gunter Courtney Human Services Building.
(Rawls)
19. MOVED TO NEW BUSINESS ITEM 1
20. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with the Second Judicial Circuit Solicitor's Office for the Establishment of a Worthless Check Unit.
(Judicial and Public Safety Committee)
21. Proposed Ordinance to Establish a Policy for Providing Public Works Assistance to Municipalities in Aiken County.
(Development Committee) (Second Reading)
22. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Establish a Policy for the Application and Acceptance of Grants.
(Administrative Committee) (Second Reading)
23. Proposed Ordinance to Amend Section 2-198 of the Aiken County Code of Ordinances Describing the Duties of the Clerk of Council.
(Administrative Committee) (Second Reading)
24. Proposed Ordinance to Adopt the Ordinance Summons, Pursuant to S.C. Code Ann. Section 56-7-80 (1976) as Amended, and to Provide for its Use in Aiken County.
(Judicial and Public Safety Committee) (Second Reading)
25. Proposed Ordinance to Amend Section 16.2, Parks Rules and Regulations of the Aiken County Code of Ordinances to Clarify its Meaning and to Add a Provision for the Disposal of Pet Waste.
(Development Committee) (Second Reading)
26. Proposed Ordinance to Delete Section 14.1 Handicapped Parking of the Aiken County Code of Ordinances.
(Development Committee) (Second Reading)
27. Proposed Ordinance to Issue Capital City Ambulance Service a Franchise to Operate a Private Ambulance Service in Aiken County for a Three Year Period Ending December 1, 2006.
(Judicial and Public Safety Committee) (Second Reading)
- 27a. Proposed Resolution to Commend Mr. Jon Hilton Ecklund for Achieving the Rank of Eagle Scout.
(ADDITION)

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

28. Proposed Ordinance to Revoke the Cable Television Franchise Held by KNOLOGY of Augusta, Inc.
(County Council)

- a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilwoman Rawls seconded.
- b. The Consent Agenda was approved by unanimous vote.

(J) NEW BUSINESS

1. Proposed Ordinance to Place a Moratorium on the Submission of Subdivision Plats or Individual Plats with Any Lot Having Less Than 100 Feet of Road Frontage or Ingress-Egress Easement Separation of Less Than 100 Feet in Aiken County, Effective September 17, 2003, Until Revised Zoning and Development Standards and Subdivision Regulations have been Reviewed and Adopted by Aiken County Council.
(County Council) (First Reading)

DELETED

1. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with Clarence Pope for the Nicholson Village Walking Track and Basketball Court.
(Hightower)
(MOVED FROM CONSENT ITEM 19)
 - a. Councilwoman Rawls made a motion for approval. Councilwoman McKenzie seconded.
 - b. Council and Mr. Killian discussed the project and the recreational needs in the Nicholson Village area. They also discussed the additional \$10,000 that would be needed to complete the project, the questionable use of taxpayer money for improvements on private property, the need to stay within the constraints of the FY04 Budget, and the need to take into consideration the recommendation from the Recreation Commission for larger, regional type parks.
 - c. Councilman Butler made a motion to amend the Resolution by making the project contingent upon the County obtaining a 50 year lease for the property. Councilman Osbon seconded.
 - d. The amendment passed by majority vote with Councilman Smith voting in opposition.
 - e. The amended Resolution passed by majority vote with Councilman Singer and Councilman Smith voting in opposition.

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Monthly Statement of Revenues, Expenditures, and Cash Position, General Fund of Aiken County for the Month Ending June 30, 2003.
2. Fiscal Year 2004 Aiken County Contingency Report as of August 20, 2003.
3. Financial Report for Mattie C. Hall Health Care Center.
4. Notification of Bridge Replacement on Graniteville Highway (SC 191).

(L) INFORMAL MEETING OF WHOLE

- a. Mr. Phil Napier urged the Council to look into incentives for existing industries in Aiken County.
- b. Councilman Smith made a motion to recess for Executive Session. Councilwoman McKenzie seconded.
- c. The motion to move into Executive Session passed by unanimous vote.

RECESSED – 8:05 P. M.

(M) EXECUTIVE SESSION

1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice. (County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

RECONVENED – 10:10 P. M.

- a. Following Executive Session Councilman Smith made a Voice Motion to clear the landfill on Briar Patch Lane, grandfathered under the original agreement, and to move forward with that process. Councilman Barton seconded.
- b. The Voice Motion passed by unanimous vote.
- c. Councilman Smith made another Voice Motion to assist with the lobbying effort on behalf of the SRS Modern Pit Facility in the amount of \$20,000 from County Council. Councilman Butler seconded.
- d. The Voice Motion passed by unanimous vote.
- e. Councilman Butler made a motion to adjourn the meeting. Councilwoman McKenzie seconded.
- f. The motion to adjourn passed by unanimous vote.

(N) ADJOURNMENT – 10:12 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman